

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

The Board convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Commissioners Stuart, Morris, and Boldt, Chair, present.

9:45 A.M.

PROCLAMATION

Commissioner Morris read and presented a proclamation to Superior Court Judge Barbara Johnson recognizing that she was voted Judge of the Year by Washington State Trial Lawyers Association.

Judge Johnson accepted the proclamation and said a few words.

CERTIFICATE OF APPRECIATION

Commissioner Boldt read and presented a Certificate of Appreciation to Joe Cote for his work as a member of the Parks Commission.

Mr. Cote accepted the certificate and said a few words.

10:00 A.M.

PLEDGE OF ALLEGIANCE

The Commissioners conducted the Flag Salute.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

There being no public comment, **MOVED** by Stuart to approve items 1 through 11. Commissioners Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 287)

PUBLIC HEARING: ROAD VACATION, NW 43 COURT

Held a public hearing to consider the County Engineer's Report on the advisability of vacating all that portion of NW 43<sup>rd</sup> Court that lies within the short plat recorded under Book 2 of Short Plats under page 277.

*Christy Osborn* presented. She explained that the right-of-way is 54 feet wide and is located in an R-10 zoning district and the area requested to be vacated totals

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

approximately 35,219 sq.-ft, roughly .80 acres in size. Ms. Osborn said the County Engineer's recommendation is that the road be vacated in favor of the true property owners and that it be conditioned upon an easement to be retained for existing utilities and the payment of all administrative costs and expenses.

*Morris* wanted to know if there was anything on the 6 acres to be developed.

*Osborn* said she believed they were all developed with single-family residences.

*Boldt* asked Mr. Capell for verification about whether Public Works felt the road wasn't needed to go through for circulation.

*Capell* said that was correct.

[Public comment opened.]

*Bruce Neill*, representative for John and Shannon Decker, owners of Lot 1, Short Plat 2276, pointed out that it is a public right-of-way, but there is a private road within the public right-of-way that serves the 6 lots. Mr. Neil stated that since 1988 the property owners have had the responsibility of maintaining that private road and would continue to do so with the vacation.

There being no further comment, **MOVED** by Stuart to approve RV 06-113 – NW 43<sup>rd</sup> Court. Commissioners Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 287)

CONSIDERATION OF ENVIRONMENTAL SERVICES COOPERATION AGREEMENT  
FOR CAMP BONNEVILLE

*Bronson Potter*, Prosecuting Attorney's Office, first pointed out that the agreement itself only becomes effective upon the transfer of Camp Bonneville and there's a provision in the agreement that requires certain things to occur before it does become effective. He explained that it's a financial agreement between the county and the Army and that under the terms the Army is obligated to provide funding for the clean-up of Camp Bonneville, the clean-up referring to the work that must be done to meet the standards set by the Department of Ecology for sight closeout. Potter said that under the ESCA the county would be agreeing to undertake that work and hire contractors to do it and the Army would be providing \$26,860,000 for the clean-up. He said the agreement has provisions for potential cost overruns and assigns responsibility for the clean-up and site conditions. He said the significance of approving the ESCA at this time is that it would enable the Army to transfer the funds into an account where they would now be available for use at Camp Bonneville and he added that if the money is not transferred by the end of august, it would be subject to reduction. He pointed out that the agreement does not transfer Camp Bonneville. Also, it's a grant agreement so there's no obligation to repay the money and

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

the agreement doesn't obligate the county to accept Camp Bonneville. Potter said there are a number of steps that must occur before the transfer of Camp Bonneville can take place. He said the ESCA is the first step, and there would subsequently be a Memorandum of Agreement between the county and the Army addressing the transfer of the Camp itself. There would also have to be an agreement in place with the contractors to provide the clean-up services and the Governor would also have to approve the transfer, which is called an early transfer because it's a transfer of a federal site before it's cleaned up. The next step would be the prospective purchaser consent decree that sets out the clean-up obligations, which would have to be approved by Clark County Superior Court. Referencing a slide, Potter commented on the potential cost overrun protection that would be in place for non-MEC (Munitions of Explosive Concern) clean-up services and that it would be money for more traditional hazardous clean-up. He further explained the levels of funding and said that if the costs are in excess, the contractors—BCRRT (Bonneville Conservation Renewal and Restoration Trust)—would be obligated to pay the first approximately \$2.7 million of cost overrun. If cost overruns exceed the \$2.7 million, there is a layer of insurance for the next roughly \$9.2 million where the insurance company pays 90% of that layer of cost overrun and the contractors pay a 10% co-pay. He said if you add the \$2.7 million and \$9.2 million you have 100% contingent funding in place between the contractors and the insurance company for cost overruns. In the event cost overruns exceed that 100%, it would be the obligation of the contractors to provide the clean-up services at their own expense.

*Boldt* asked Potter to clarify if the contractors were responsible for the \$2.7 million.

*Potter* said that was correct.

*Stuart* noted that the BCRRT was a limited liability corporation and he asked what assurances they had that the work would be paid for by the entity in charge in the event the LLC didn't have the money to pay for the cost overruns.

*Potter* said the obligation to provide that service would not just be the LLC, but would be the contractor, Baker Engineering, that is providing those services. He said they are a large engineering company with substantial assets.

*Stuart* asked if they agreed to take on that liability.

*Potter* said yes.

*Morris* asked if the \$2.7 million was the BCRRT's own expense because they didn't hit the \$12 million mark.

*Potter* said that was correct.

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

*Morris* asked if the estimate for clean-up of the non-MEC was \$12 million and the additional was there in case it costs more.

*Potter* said yes.

*Stuart* wanted to know who would make the decision that it's clean.

*Potter* said they could request the Department of Ecology (DOE) to review the work and they would issue a notice of completion.

*Boldt* asked how the funding from the Army would be allocated.

*Potter* said that for the funding to the county, the county and the Department of Public Works, along with the DOE, would be monitoring the work to ensure that it's being done and payment would be made to the contractors.

*Boldt* wanted to know what would happen if something unexpected occurred and the cost ended up being much more than anticipated.

*Potter* said the rules don't change mid-stream and the \$12 million is what the Army is obligated to provide in that funding. He said there is some provision if the MEC (Munitions of Explosive Concern) services do not hit what they anticipate them to and there is some ability to shift funding from one side to another. *Potter* stated that in regards to MEC clean-up cost overrun protection, the estimated budget for those services is approximately \$10.7 million, with the first layer of cost overrun risk being born by the contractors in the amount of approximately \$2.1 million. If that layer is exceeded, it's a similar arrangement with the 90% Army responsibility and 10% contractor responsibility for approximately the next \$8.5 million. He said he recommended they purchase a layer of insurance on top of that 100% for another \$2 million of potential cost overrun. Again, that layer would be a 90%-10% allocation between the insurance company and contractors. He said that's about 120% protection and if the cost exceeded those layers of protection, the contractors would be responsible for overruns beyond that.

*Stuart* wanted to know who would pay the premium for the insurance.

*Potter* said the \$26.86 million includes Army funding for insurance. He said if they decided to do the \$2 million layer that would be approximately \$150,000 Army and \$150,000 County. The county contribution could then be recovered if proceeds become available from timber management on the site. *Potter* added that there is a county obligation under the consent decree to do long-term obligation, i.e. if there is groundwater monitoring wells that need to be kept in place and monitored, that would be the county's obligation. Also, there's about a million dollars of Army funding to keep management of things such as signage and education materials in place on the site. *Potter* further explained the party's responsibilities under the ESCA.

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

*Stuart* asked if there were any time limitations as far as the hold harmless agreement.

*Potter* said no, that it was in perpetuity.

*Stuart* wanted to know if there was a limit to either the clearing of MEC, if it were found outside of the already cleared areas later, or on any sort of injury claim. Was there any kind of upper limit to their liability that would then get the county involved?

*Potter* responded that there was no dollar upper limit to that Army obligation.

*Boldt* said that as he envisions it, the county and DOE would hold hands. As he understood it if the DOE and the Governor don't agree, then all bets are off.

*Potter* said that was correct.

*Morris* asked how you would find a MEC outside of the county clearing area.

*Potter* said that was difficult to tell in the future. He said if somebody happened to be in an area that hadn't been cleared and they see something, hopefully they would notify the county. The county could then put some controls in place and notify the Army.

*Morris* said it was more probable they would step on something. She wanted to know who would be responsible.

*Potter* said that any MEC was an Army responsibility in perpetuity.

*Boldt* said a big portion of the non-MEC cleanup is the restoration of the forest. He said he assumed there would be a lot of activity with that.

*Potter* said he anticipated there would be. He said there hasn't been any timber management on the site for over 20 years and there has been quite an accumulation of understory and fuel load and although it's not a hazardous substance cleanup obligation, it's a responsible management activity to manage the fuel load. He further explained. He said there would be site characterization and clearance activities that would be done over the next four years that would provide more information on the site.

*Stuart* asked if the signing of this agreement would lock them into the Reuse Plan that they've seen. He said he had concerns about kid's safety in the area and how they deal with the site.

*Potter* said the Reuse Plan was fairly conceptual and they could move things around and add and delete things; however, the amount of work that needs to be done in order to make the site safe for use, depends on the use that is identified to take place. If they start

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

changing the use in terms of where it is, where it will occur, and how much it will occur, then that could have cost impacts. He said they'd have to do the cleanup based on the funding amount.

*Stuart* said he though there was a good opportunity to have a Veterans Memorial cemetery on the land. He wondered why Mr. Potter had made the statement "the train has left the station" regarding that portion of it.

*Potter* explained that he just meant to say that there had been a timeframe approximately 10 years ago for which people could propose uses and ask to be recognized by the Army as the local redevelopment authority (LRA), and as part of that would identify a Reuse Plan. He said if someone wanted to change the Reuse Plan to address potential other uses, for example a cemetery, they would not be precluded from doing that, but would have to look at the costs associated with it.

[Public comment opened.]

*Chuck Mason*, member of the Veterans of Foreign Wars, stated that the ESCA would set in motion a liability and that there is case law the county needs to research. Mr. Mason referenced a case from 1983, Camp Elliott, San Diego, in which three small boys playing in their subdivision discovered a 37 mm round that exploded, killing two of the boys and severely injuring the other. He said the parents each won a \$2 million lawsuit. Mason also cited another case in Port Angeles in 1948. He noted that he has been a member of the Restoration Advisory Board for Camp Bonneville for the last 3½ years and he recently made a motion that because of liability and cost there was no way a UXO area could be converted to a park. He said a roll call of the roster of members was taken and all, except one, voted in favor. He asked why the county was wasting their time on this since so many in the community aren't in favor. Mason said as far as the plan for a cemetery, the cemetery internment people would be trained to work in the UXO area. The balance of the property would be turned over to a conservancy organization.

*Morris* asked Mr. Mason whether he knew if for the case in San Diego there had been a liability agreement between the jurisdictions and the Army for continued liability on the Army's part.

*Mason* said he didn't know the details of that, but in his experience agreements such as that aren't worth the paper they're written on.

*Potter* said he didn't know the specifics of whether there was a contract and what it provided for, but he believed the San Diego case resulted in a settlement, not a court decision as to the party's liabilities.

*Morris* said she was interested in whether or not there was a similar kind of an agreement that Mr. Potter was proposing for the county under these circumstances for the liability

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

issue and asked that he research that. She also referenced Mr. Mason's comment regarding the cost of cleanup between 2003 and the present time having been reduced from \$100 million to \$26 million. She asked Potter if that was correct.

*Potter* said that was not correct. He said long before 2003 there had been a federal publication that listed a number a little over \$100 million that was associated with Camp Bonneville, but there was no way to determine what that was based on. In 2003, when they were negotiating cleanup with the Army and the costs associated with that, they were in the low \$31 million range and the reason for the reduction to \$26 million was because the Army has since cleaned up landfill area at the cost of about \$5.3 million.

*Morris* wanted to know if he knew the nature of the publication.

*Potter* said it was a listing of 100 bases that were in the BRAC (base realignment and closure) '95 list and it was a gross dollar figure associated with closure costs.

*Stuart* asked Mr. Mason how much acreage would be needed for the cemetery itself.

*Mason* said when he started working with the people from Willamette National Cemetery about 6 years ago he had recommended approximately 300 acres. However, he is now recommending to the Veterans Administration that they take the whole thing. He said there is approximately 1,000 acres on the western part that is relatively clean and they would love for the VA to take all of it and use as much as they want for a cemetery and allow the veterans to use it for other things, such as hospice, memorials, museums, or camping facilities within their community.

*Boldt* asked Mr. Mason if he had taken a tour of the camp.

*Mason* said they had one scheduled for the previous Friday with Steve Morrow, who is the national cemetery property acquisition person, but Mr. Morrow wasn't able to make that meeting. However, Morrow was in town on Saturday and went to the camp with the Willamette National Cemetery group, who told Mason they were pleased with what they saw.

*Boldt* asked if there was going to be a formal tour.

*Mason* said he was unaware of any.

*Morris* wanted to know that if this were to become a veterans' cemetery, would it then be an issue between the Army and the Veterans Administration.

*Potter* said if the proposal to transfer to the county didn't go forward, then it would be an entirely new transaction that would have to be structured between the Veterans Administration and the Army. He noted that before making closed military bases

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

available to non-federal agencies the first thing the Army would have to do is notify federal agencies of its availability and make it available to them.

*Morris* asked Mr. Mason if he was talking about the Veterans Administration taking the property or somehow or other the county continue to take it.

*Mason* said in talking with people from Willamette National Cemetery, they indicated that they would be willing to do a joint venture with the county. He said the Veterans Administration would be willing to enter into a joint venture agreement with whoever it has to be.

*Morris* asked Mr. Mason what his exact proposal was.

*Mason* responded that his proposal was that the county not take on the liability of a joint contractual [agreement] with the Army because they would only try to share the liability with the county. He said his suggestion would be that the county tell the Army to first clean up the camp.

*Morris* said if it were going to be a veterans' cemetery she wouldn't understand why the county would proceed and she couldn't see the difference in ultimate liability to the county irrespective of the use. She stated that if it were going to be a veterans' cemetery and no other public use, then she would like to get out of it altogether.

*Mason* said his proposal was that it be developed into a veterans' cemetery and when the Army cleans it up then they would talk about transfer.

*Morris* asked him if Camp Elliott had been cleaned up prior to transfer.

*Mason* said yes.

*Lynelle Hatton*, Director, Toxic and Explosive Substance Accountability, and member of the Federal Camp Bonneville Restoration Advisory Board, stated that she was representing five other members of the Restoration Advisory Board who were unable to attend: Karen Kingston, Christine Sutherland, Brenda Rule, and Colleen Broad. Ms. Hatton said the deadline for securing the funds should be September 30, which is the end of the federal fiscal year and the fact that new funds are being considered for next year does not impact the funds allocated for this year. She stated that the public has only had five days to review the document and it's impossible to comment effectively and address the details of it. Hatton commented on the following topics: 1) background on the process leading up to the ESCA; 2) the cleanup plan; 3) the insurance; and 4) the legacy the county would like to promote with this park. Hatton asked why the county wanted the park. She said the \$26.8 million won't remove the UXO or remediate the groundwater contamination. Also, the plan doesn't remediate structure contamination, such as lead



COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

paint in asbestos. She said the amount must include the premiums for insurance and there would be no additional funds available for insurance.

*Morris* asked Ms. Hatton if she had information that contradicted Mr. Potter.

*Hatton* said the ESCA states that the premiums must be included in the cleanup. She said \$31 million was negotiated in 2003, but that amount is now \$26.8 and the fact that it's lower than it was three years later doesn't reflect inflation. She said they are either getting the same cleanup plan for less or they cut the cleanup plan.

*Morris* asked Potter to explain that again once Ms. Hatton finished speaking.

*Hatton* stated that the contamination on the site is being minimized. She said the property must be cleaned up because DOE has an enforcement order to do so and she didn't understand why the county wasn't waiting until that takes place. She asked why they were fast-tracking and also referred to the public process, which she feels does not take into account the public's interest in commenting on these documents. She referenced page 9 of the Executive Summary and said there are a number of factors that could affect the Reuse Plan and create the need to modify it in the future. Factors include UXO, timber harvesting restrictions, liability and safety issues. She also expressed concern with the economic analysis and insurance liability. She said if they choose this park plan without the Army cleaning it up, the threat of UXO and toxic waste to people would be the legacy the Board of Commissioners leave. Hatton stated that the VA is interested in it and she felt that was a more plausible use.

*Morris* asked Potter to again explain the difference between the \$31 million and \$26 million.

*Potter* said the \$31 million that had been discussed three years ago was a larger scope of work. Since that time a landfill has been cleared at a cost of \$5 million, so that is subtracted from the \$31 million figure. There was also a lot more certainty this time around with respect to the Department of Ecology requirements for cleanup. In 2003, they didn't even have a conceptual cleanup action plan or a consent decree negotiated and this time they did and so the contractors were able to better determine what actual costs would be. He clarified that the \$26.8 does include funding for insurance premiums.

*Morris* asked if that was insurance to cover the cost of completing the cleanup, and is not liability.

*Potter* said it was actually both. He said it's not just for when the contractors are there, but is a 10-year term and would cover the cost cap insurance, unknown conditions, damages from hazardous substances on the site that are cause to other people's property if there is any. He said there is quite a bit of liability that doesn't include explosive risks

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

from MEC, which is why the agreement specifically says the Army retains liability for any explosive MEC liability claims.

*Stuart* referenced the two contaminated groundwater plumes and asked if those were already identified and where the liability would rest in terms of clean up.

*Potter* said the funding on the non-MEC hazardous substance is inclusive of the contractor's cleaning up the groundwater. He said there hasn't been any requirement to actively pump or treat any groundwater and he noted that the landfill removal was a priority because it was believed to be the source for the contaminated groundwater.

*Brian Vincent*, Department of Public Works, said there are two sets of monitoring wells, one adjacent to the short plume and some sentry wells located at the west edge of the property. He said preliminary indications were that the plume was slowing, if not eliminated, and continued monitoring would track that. Mr. Vincent said his understanding was that the cost estimates only include monitoring and if there was a plume pump and treat, it would be an additional cost the Army would be responsible for.

*Stuart* asked Mr. Vincent why he believed that.

*Vincent* responded that it was their responsibility and as far as he knew the only costs included in the ESCA were the monitoring costs.

*Potter* said he was certain that as far as the clean up estimates the obligation was to achieve site closure, including any potential groundwater cleanup. That's why they had a layer of contractor responsibility and another big layer of insurance for the non-MEC side.

*Morris* asked that Mr. Potter and Mr. Vincent clarify the language.

*Hatton* said one of the ideas behind the contract was that the property would be accepted "as is" and any contamination they know of prior to transfer becomes our responsibility, which would leave the remediation responsibility to the county.

*Stuart* referenced the timing for the BRAC funding and the question as to whether it was September 30 or August 31.

*Potter* said his understanding was that August 31 was when Congress would be looking at what is unexpended on the last go-around of BRAC funding. To the extent that there's \$26 million that hasn't been obligated to any site, that would impact what Congress is willing to provide for any additional funding.

*Stuart* wanted to know where the August 31 date came from.

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

*Potter* said it came from the Army.

*Morris* wanted to know what would happen if the county decided to walk away.

*Potter* said he would speculate that there are other sites the Army would take the funding to. He said there are a lot of bases that have not been closed and there's pressure from Congress to get the properties off the rolls. He said the site would likely sit there without much management—essentially as it is now.

*Morris* asked if it was correct that there is an order to clean it up.

*Potter* said there is an enforcement order issued by Ecology, but it is not a comprehensive clean up. He further explained.

*John Oxford*, 212 Gun Club Road, Woodland, U.S. Air Force, Retired, expressed support of the comments made by Mr. Mason and Ms. Hatton. He said he didn't feel the \$26 million would cover the cost of clean up and read an article regarding the costs associated with the clean up of a site in Hawaii. Mr. Oxford also commented about timber management and wanted to know how the value of the timber was figured and when and if the value of the timber today was the same value as when it was earlier assessed. He said he was interested in the water cleanup and all the pollutants and potential spread to neighborhoods surrounding the park. He expressed support for a cemetery.

*Christine Sutherland*, Camp Bonneville Restoration Advisory Board member, commented on the price of the funding. She said the fiscal year-end reports for Congress have listed numbers for the expected cleanup, which has been \$100 million. In 2001 and 2002, the amounts were \$96 million and \$100 million for the cleanup of Camp Bonneville. Ms. Sutherland also commented about the Finding of Suitability to Early Transfer (FOSET) document and she said she believed it had a hold harmless after Ecology obliges upon site closeout, meaning that according to the FOSET the Army would be held harmless. Ms. Sutherland further explained. She asked how they intended to keep the land use controls in place in perpetuity. She also commented on Ecology's risk assessment exposure and said they don't have anything on the regulations they follow for cleanup of hazardous sites. She then referenced the groundwater plume and said the numbers as of March 2006 of the groundwater testing wells are 280 parts per million for Ammonium Perchlorate and the recommended number is 2-6 parts per million. Therefore, the numbers went down slightly when they remediated the project, but have gone back up. Sutherland stated that the LRA and Reuse Plan are in place and the optimal situation would be to continually assess the situation as the Army cleans the site with their own funding.

*Morris* asked Ms. Sutherland if her opposition was to the use or the transfer.

COMMISSIONERS PROCEEDINGS

JULY 25, 2006

CLARK COUNTY, WASHINGTON

*Sutherland* said it's two-fold. The reuse is a free range use at the moment and considering they're not going to clean up very much of the MEC, she felt it would be a hazard. She said she would love to see a natural reuse—not free range—and she likes the idea of a cemetery because it's a more constricted use. *Sutherland* said she also has a problem with the transfer because it's a chunk of money and it's a limited liability company overseeing the clean up and there's a liability that's transferred during the cleanup to the county. She said her preference would be a nature conservancy, but she understood that 4,000 acres in Clark County is large. She said she would prefer that it be kept in the polluter's hand.

*Morris* said she wasn't reassured that if they leave it in the Army's hands it would essentially mean they are going to walk away from it and let them do it and then later on when it's done maybe they'll re-up. She wanted to know if the Army does it how clean is clean and what are the guarantees in place that you have hit the level of clean, the same standard or essentially a better standard. She asked that at some point Ms. *Sutherland* and the other speakers respond to the question about what their level of clean is and how they would feel better about it if the Army does it, and the question regarding why they couldn't just walk away.

*Sutherland* said she didn't feel the level of clean was obtainable at this time for a free range park.

*Morris* said it's not supposed to be a free range park; it's supposed to be contained. She said she realized that kids jump fences and she understood the risk; however, if it were a cemetery it would also be a risk. She said the risk would carry over irrespective if it's a matter of who owns the property. *Morris* asked Ms. *Sutherland* to separate out whether it is the use or the transfer. She said if it were to be a veterans' cemetery, it seemed appropriate that the transfer go to the Veterans Administration rather than the county, since that's their jurisdictional area.

*Sutherland* said in order to get the park the transfer would have to come first, but she didn't feel the transfer was the best plan for the safety of people. She clarified what she meant by free range.

*Mark Benson* referenced Commissioner *Morris*' question regarding what the standard is and said he has asked the BRAC that same question, but has yet to receive an answer. Mr. *Benson* said they have a problem, but there are many solutions, one being to have the EPA and DOE take an aggressive approach. He said his understanding from the BRAC process was that \$21 million has been spent so far since 1995 on that camp as far as clean up and studies and he thought more than \$26 million would be needed for cleanup. *Benson* said they need to look at an overall solution versus allowing problems to continue forward and that it's important to work as a team and not accept this liability.

*Nathan Reynolds*, PO Box 2457, Longview, Cowlitz Indian Tribe representative, stated that he has been dealing with issues related to Camp Bonneville over the past years,

COMMISSIONERS PROCEEDINGS  
JULY 25, 2006  
CLARK COUNTY, WASHINGTON

primarily concerns with cultural resources. Mr. Reynolds stated that about two months ago an Army representative told him that timber harvest was not going to be allowed under a conservation conveyance. He asked for clarification.

*Potter* explained that conservation conveyances were authorized by Congress 2 or 3 years ago and there was a provision in that legislation that allows incidental revenue producing activity to occur. There's a provision in the ESCA that states that the Army has reviewed our Reuse Plan and the activities identified in that plan are consistent with a conservation conveyance. That Reuse Plan includes timber management.

*Boldt* said the question of what to do with Camp Bonneville is a concern with the community. He said he's attended meetings in which DOE has said they have an enforcement order and the Army has said they're not going to do it. He said they have a fire trap out there, a place with perhaps unexploded ordnances with no fences around it and if they let it go, he couldn't see that the Army would beef up those fences. He said at least they would have some activity out there with some timber management to clean up and if it's going to be a very valuable exercise or end use to have a cemetery out there, then he would be supportive of that. *Boldt* stated that right now they can get the \$26 million for clean up and at least know what's out there.

*Morris* said that many legitimate concerns were raised today—some new and some old. She said for her it boils down to the public policy question – “is there a problem and, if so, are we trying to solve it?” She said the Reuse plan as it exists was attempting to solve a problem of parks deficits. It has become a public policy question of how do we make the acreage out there, which doesn't belong to us, safe. She said the liability question is intriguing because if they are liable if it is a park, they are liable no matter what it is as long as it is theirs. She said the liability to the county is a fundamental, internal discussion they need to have. She said it would take persuasion to convince her that the county has a role to play if the area is to become a veterans' cemetery. She could support an effort by the veterans to assume the conveyance from the Army in order to use it as a veterans' cemetery, which she feels is a worthwhile use; however, she said she wasn't sure it was their business. As far as the issue of land use, controls unless they define what it means to maintain the current land use controls they are subject to board changes. *Morris* said she had heard the area is currently zoned Timber-80, but asked Mr. Potter to double-check and let her know. She said there are some significant issues she would like to have clarified in a public work session and have representatives from the DOE and the Army present to answer those questions. If the public has questions they wish to have addressed in that work session, they could convey them to the full board via [boardcom@clark.wa.gov](mailto:boardcom@clark.wa.gov). She asked that people be specific in their questions and clarifications regarding any discrepancies in documentation they might find. *Morris* said she was fine with approving the ESCA with the full understanding that this was no kind of a commitment and that the option for the county to walk away remains a clear and viable alternative.

COMMISSIONERS PROCEEDINGS

JULY 25, 2006

CLARK COUNTY, WASHINGTON

*Stuart* stated that he has great concerns about the Reuse Plan and is nowhere near satisfied that it would keep their kids safe. He said Commissioner Morris' distinction between the use and the transfer was very helpful to him. He said they have a problem that needs to be cleaned up and just because the Army owns the land, if one kid were to die they would all grieve and they all have a responsibility to ensure that it's cleaned up. As far as how it's used, how much is cleaned, etc., those are questions that he'll need more information and assistance in understanding how that site can actually be made safe. If they have an opportunity through financial agreements to push the Army and Ecology to get to work and clean it up, he feels a responsibility to move forward.

There being no further public comment, **MOVED** by Stuart to approve CO 06-114 – Environmental Services Cooperation Agreement (ESCA) for Camp Bonneville. Commissioners Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 288)

COMMISSIONER COMMUNICATIONS

There were no comments.

*The Board of Commissioners adjourned and convened as the Board of Health*

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

There being no public comment, **MOVED** by Stuart to approve items 1 through 6. Board members Boldt, Stuart, and Morris voted aye. Motion carried. (See Tape 288)

BOARD OF HEALTH COMMUNICATIONS

There were no comments.

*Adjourned and reconvened as the Board of Commissioners*

COMMISSIONERS PROCEEDINGS

JULY 25, 2006

CLARK COUNTY, WASHINGTON

**2:00 P.M. PUBLIC BID OPENING**

Present at bid opening: Louise Richards, Board of County Commissioners Office; Allyson Anderson and Priscilla Ricci, General Services-Purchasing Department

BID OPENING 2450

Held a public hearing for Bid Opening 2450 – Sheriff's Duty Weapons. Allyson Anderson, General Services, opened and read bids. Ms. Anderson noted that it would be necessary to further evaluate the first bid due to the many figures. She stated that it was the Purchasing Department's intention to award Bid 2450 on August 1, 2006 at 10:00 a.m., in the Commissioners' hearing room of the Clark County Public Service Center, 6<sup>th</sup> Floor. (See Tape 289)

Gentleman in the audience stated that [his] company's bid had not been read.


[Short break – staff located document.]

Anderson opened the additional bid and re-stated that it was Purchasing Department's intention to award on August 1, 2006.

BOARD OF COUNTY COMMISSIONERS



Marc Boldt, Chair



Steve Stuart, Commissioner

Betty Sue Morris, Commissioner

ATTEST:



Louise Richards  
Clerk of the Board

rt